

Minutes of the regular session of the City Council of West Bountiful City held on Tuesday
November 18,2008 at West Bountiful City Hall, Davis County, Utah

Those in Attendance

MEMBERS PRESENT: Mayor James Behunin, James Bruhn, Debbie McKean, Kenneth Romney, Cheryl Searle, Valerie Shaw

STAFF PRESENT: Wendell Wild (City Administrator), Craig Howe (Deputy City Administrator), Beverly Haslam (City Recorder), Jami Zigich (Secretary)

VISITORS: Alan Malan, Jason Meservy, Alma Miller, Wendy Green, Emma Dugal, James Alhstrum, Shane Gillett

Called to Order:

Mayor James Behunin called this session of the West Bountiful City Council to order at 7:33pm.

Mayor Behunin informed that Council member Debbie McKean would be giving the prayer followed by himself leading the pledge.

1.
Accept Agenda

Mayor Behunin presented the printed agenda noting that Elise Letchenberg of Lewis, Young, Robertson and Burningham would be arriving late.

MOTION: Debbie McKean of Council moved to accept agenda moving item #5 to #3.

SECOND: Cheryl Searle of Council seconded the motion

PASSES: Motion passes in favor unanimously

2.
Public Comment

Mayor Behunin opened the floor for Public Comment

West Bountiful resident Alma Miller made comment and complemented the police force of West Bountiful for patrolling his neighborhood and being a visible comfort within the City

Mayor Behunin took personal privilege to discuss and inform briefly of the progress of the Bond issue. Both the Mayor and Deputy City Administrator Craig Howe confirmed that all went well with the trip to San Francisco to secure Bond Insurance, and the Bond Lender but no official confirmation has been reserved.

3A
Emma Dugal
Bountiful Arts Center

Emma Dugal Chairman of the Davis County Summer Arts Festival International came forward to state the success of the 20th year of the Festival and to express appreciative to West Bountiful for the continued support of the Festival. Ms Duggal closed her comments with giving a Plaque to the Mayor thanking West Bountiful, and giving City Administrative Wendell Wild a letter of appreciative.

3.
Public Hearing to receive input
on a Water Rate Increase

Prior to opening the public hearing Mayor Behunin asked Council member Ken Romney to briefly discuss his findings distributed to Council entitled Residential Water Rate Comparison with accompany notes. Mr Romney stated that it was the same data presented but in a side by side comparison.

Mayor James Behunin then opened the 7:45 pm Public Hearing to receive input in a water rate increase

No response from public

Mayor James Behunin closed the scheduled public hearing

4.
Review and Approval
of Water Rate Schedule

Mayor Behunin opened this agenda item with discussion regarding his concern for elderly citizens that were on a fixed income, and placing burden on them with a water rate increase his suggestion and resolution of this issue would be to grant waivers on garbage pick up to off set the water rate increase

Discussion then ensued among Council and Staff regarding but not limited to:

- if active military residing in the City should get a waiver also
- if commercial business within the City were getting hit to hard
- the need not to underprice or set to many waivers there would be a short fall not able to cover the bond

Elise Letchenberg representing Lewis, Young, Robertson and Burningham Inc. the firm representing the City regarding Water Issues joined in the discussion presenting printed material detailing:

- Low Income Affordability Rates (Lifeline rates)
- Culinary Water Rate Structures
- Adjusted Water rate discussion with the following points
 - current rate structure
 - reasons for rate increase
 - recommended scenario
 - considerations
 - other alternations

and additional printed hand-out with three other alternatives

Lengthy informal discussion then occurred amongst Council members, Staff and Elise Letchenberg

Council member Cheryl Searle asked when the rate increase would be put into effect.

Deputy City Administrator Craig Howe responded stating that the new water meters being installed thru out the City should be completed in early spring of 2009 the new rate could be implemented in June of 2009

Council member Valerie Shaw asked the legal ramifications of the

1 Low Income Afford ability Rates

2
3 Mayor James Behunin stated all of the changes including the water
4 rate increase would have to go thru the City's legal counsel along with
5 changing of ordinances.

6
7 MOTION: Debbie McKean made motion to direct staff to move
8 forward with the suggested rate structure to put the information into
9 Resolution form to move forward with the next step for approving the
10 water rate increase.

11
12 SECOND: Ken Romney of Council seconded the motion

13
14 MOTION AMENDED: Debbie McKean amended the previous motion
15 stating that within the Resolution it be stated that the rate increase
16 would occur upon completion of meter installment thru-out the City.

17
18 ROLL CALL VOTE:

19 Cheryl Searle - yes

20 James Bruhn - nay

21 Debbie McKean - yes

22 Valerie Shaw - yes

23 Ken Romney - yes

24 MOTION PASSES

25
26
27 5.
28 Emma Dugal
29 Bountiful Arts Center

30 Moved to 3A

31
32
33 6.
34 Consider Adoption of
35 Ordinance 305-08

36 AN ORDINANCE ESTABLISHING TEMPORARY
37 RESTRICTIONS REGARDING APPLICATIONS FOR
38 DEVELOPMENT REQUESTS IN PORTIONS OF THE
39 AGRICULTURAL (A-1) AND LIGHT INDUSTRIAL (I-1) ZONING
40 DISTRICTS.

41
42 Mayor James Behunin stated that several northern Utah cities are
43 working to turn the states Legacy Parkway into a Natural Scenic
44 Byway - making Legacy eligible to receive Federal Highway
45 Administration funds

1 Mayor James Behunin further stated that Woods Cross had put
2 rezoning into effect for A-1 agricultural to I-1 light industrial use of
3 40 to 50 acres of property in the area - and were asking West
4 Bountiful's support in the same area to provide for a core commercial
5 district

6
7 Informal discussion occurred amongst Council Members discussing
8 but not limited too:

- 9 - would our ordinance change
10 - would this be a moratorium
11 - how many residents or businesses are effected in West Bountiful
12 - is any professional study of the area being done and by whom
13

14 James Ahlstrom Planning and Zoning Commission Chair upon request
15 of the Mayor made comment stating that there was really only one
16 West Bountiful resident being effected at the time and thru discussion
17 he had stated that he really would rather be governed by Woods Cross.
18

19 MOTION: James Bruhn made motion to Adopt Ordinance 305-08
20 An Ordinance establishing temporary restrictions regarding
21 applications for development requests in portions of the agricultural
22 (A-1) and light industrial (L-I) zoning districts.
23

24 SECOND: Motion was seconded by Council member Debbie McKean
25

26 PASSES: Motion passes with Council member Cheryl Searle voting
27 nay
28

29
30 7.
31 Consider Resolution 237-08

32 APPROVING A BONDING REQUIREMENT FOR BUILDING
33 LOTS/ACCESSORY BUILDINGS IN WEST BOUNTIFUL CITY
34 FOR POSSIBLE REPLACEMENT OF CURB,GUTTER AND/ OR
35 SIDEWALK.
36

37
38 Wendell Wild West Bountiful City Administrator addressed the
39 Council stating the following facts of consideration for Resolution
40 237-08

- 41 - that the resolution had come to the Council because of a number of
42 incidents that the curb, gutter and sidewalk had not been properly
43 repaired or laid in recently issued building permits therefore causing
44 the City in some incidents to repair and replace sidewalk and gutters.
45 - the resolution would state that a \$2400.00 refundable bond be placed

1 on each General Contractor on issued new building permits when
2 construction would involve the curb gutter or sidewalk.
3 - that the bond would be refundable after proper inspection of the curb,
4 gutter and sidewalk by a qualified West Bountiful City Staff
5 representative.

6
7 MOTION: Valerie Shaw of Council made motion that Resolution 237-
8 08, approving a bonding requirement for building
9 lots/Accessory buildings in West Bountiful City for possible
10 replacement of curb, gutter and/or sidewalk be approved.

11
12 SECOND: Council member Cheryl Searle seconded the motion

13
14 PASSES: Motion passes unanimously
15
16

17 8.
18 Appointment to
19 South Davis Sewer
20 District Board
21

22 Mayor James Behunin notified and explained to those in attendance
23 that long time Sewer District representative to West Bountiful City
24 Jerry Thompson would be leaving, stating that his years of service to
25 the board had been served in an exemplary manner.

26
27 Mayor Behunin further stated that the replacement to the Board had
28 become more complicated discussing the following issues
29 - that a board member needed to be appointed
30 - that the appointee could be the Mayor, City Council member or a
31 qualified city applicant.
32 - suggesting that a 30 day public notice be set out via the City web site
33 asking for applicants.

34
35 Council member Debbie McKean stated that if a Council member or
36 the Mayor where to accept the position that they would not be
37 compensate but that compensation for a non-Council member is
38 \$5000.00 per year
39

40 MOTION: Council member Ken Romney made motion that a public
41 notice be sent out thru the City web site asking for submission of
42 applications for appointment for a City representative to the South
43 Davis Sewer District Board
44

45 SECOND: Motion was seconded by Council member Cheryl Searle

Council member James Behunin suggested and discussed the need for reports to the Council from the representative and suggested that the appointee came from the Council.

CALL FOR VOTE:

Cheryl Searle - yes
James Bruhn -no
Debbie McKean - no
Valerie Shaw - yes
Ken Romney - yes

MOTION PASSES

3yes to 2 no

9.
Police Report

(Postponed until next Council Meeting)

10.
Financial Report

Craig Howe Deputy City Administrator/Financial Official directed Council members and Staff to printed documents within the binders, bringing the following issues to attention :

- that the budget is continuing to be closely monitored, that even with the continued trend of falling revenues, the City has been able to hold to the line on expenses.
- that with anticipated property tax, if the spending pattern for the City hold, it would allow to meet cash requirements and break even on the General Fund for the fiscal year.
- City Culinary Water Well has marked a decrease in efficiency of late, there will be unbudgeted costs, but it is also anticipated that Holly Oil may help with some of the cost.
- Sales Tax have managed to hold to budget projections
- Many of the Cities retail outlets have suffered declines of 50% or more from previous returns.
- Greatest revenue deficit continues to be Licence and Permits
- Planning and Zoning budget has well exceeded due to Jason Burningham group with the work on the 2008 water bond series and information regarding city water increases
- Overall with 34% of the year elapsed we have expanded only 31% of

our total general fund budget

- Council member Debbie McKean asked to address a few line items.

- Questioning in Planning and Zoning line 10-53-10 salaries and wages, line 10-53-620 commission fees

Craig Howe stating that he would look at the issue raised and make sure this was the correct accountant

- Questioning in Administrative line items 10-43-311 and 10-43-312 asking for clarification.

Craig Howe informed that this was consulting from former City Financial Administrator Brian Passey

-Questioning in Non-Departmental line 10-50-282 telephone cell

- Craig Howe stating a computer error and that he would make sure it was rectified

Council member Valerie Shaw brought suggested before Council that it be a good time to look at the Engineering Firm contract to the City of CRS

Informal discussion ensued amongst City Staff and Council members with the Mayor asking Council member Ken Romney to look into and over the contract of CRS and bring results back to Council

11.
Planning and Zoning
Report

No meeting held

12.
City Administrative Report

City Administrator Wendell Wild Reported and discussed:

- expressed appreciation and thoughtfulness of the City in the passing of his father - in - law the longest living resident of West Bountiful
-for the help of the beatification committee in the code enforcement stating the many thank yous and positive comments had come from city residents

- Update of the Rails to Trails project being at about the 30% completion point

1 -Announcing the Turkey Trot being held Friday at Bountiful Junior
2 High from 7-9pm, to help fund the City Sub for Santa Elf tree
3 - Santa Clause arriving at City Hall December 8th
4 - Holly Oil will be testing the emergency notification system, letters of
5 notification have been sent out
6 - Holly Tax repayment issue is in the hands of the attorneys and is
7 nearing an agreement
8 - Rocky Mountain Power tower replacement is starting
9 - Public Open House will be held on December 4th at Woods Cross
10 City Hall to explain progress and updates regarding the 5th South
11 Project.
12 UTA will hold an open house in the near future announcing the service
13 changes in the area
14
15

16 13.
17 Mayor/City Council
18 Reports
19

20 Mayor James Behunin reported and discussed:
21

22 - in regards to the RAP Tax a formal request or most crucial needs
23 report regarding parks and trails is needed
24 - a representative is needed to be present at the Friday 9am meeting for
25 the Trails Committee
26 - the Environmental Report regarding Holly Oil though incomplete
27 would be posted on the City Web site. The Mayor stating citizens had
28 waited for long enough results.
29 - informed that the State Department of Air Quality had done a study
30 and had become aggressively involved in the issues regarding Trinity
31 Steel and that upcoming changes of equipment would be happening.
32

33 Council member James Bruhn had no report.
34

35 Council member Debbie McKean reported and discussed
36

37 - need newsletter articles by next meeting
38 - Elementary Community Council meeting would be held quarterly
39 now.
40 - the City would be collecting Turkey's on Saturday from 9am to 1pm
41 for the Food Bank.
42 - Christmas on Onion Street will be held December 8th , with Alan
43 Marston entertaining inside an the Children Choir performing outside
44 for the tree lighting.
45

1 - the City Youth Council would be teaming up with the RDA to
2 provide merchant discount cards at no expense to City resident
3 - would suggest that the Council and City Staff do a work session on
4 code of ethics issues.
5

6 Council member Kenneth Romney reported and discussed
7 - the Golf Board would be meeting Wednesday at Café to discuss
8 much needed updates of facilities.
9 - expressed extremely fortunate of city to have the RDA up and
10 running and urged everyone to change shopping practices.
11

12 Council member Cheryl Searle reported and discussed
13 - Emergency Prep Presentation would be good to have in December on
14 Personal Safety and would give updated information as obtained.
15

16 Council member Valerie Shaw had nothing to report
17

18 14.
19 Approval of Minutes
20

21 MOTION: Council member Ken Romney made motion to approve
22 minutes of October 7, 2008
23

24 SECOND: Council member Debbie McKean seconded the motion
25

26 PASSES: Motion passes unanimously
27
28

29 15.
30 Closed Session
31

32 MOTION: Council member James Bruhn made motion for Council to
37

38 PASSES: Motion Passes Unanimously
39
40

41 Council members moved to close session at 9:55pm
42
43
44
45

Adjournment of this Session was directly from Closed Session

MAYOR JAMES BEHUNIN

BEVERLY HASLAM (CITY RECORDER)

JAMI ZIGICH (SECRETARY)